

### **REMARKS**

Claims 1 – 6, 8 – 10, 12 – 15, 17 and 18 are pending in the present application. Claims 7, 11 and 16 were previously canceled. Reconsideration of the application is respectfully requested.

On page 4 of the Office Action, claims 1, 3 - 6, 8 and 9 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Applicant is amending claim 1 so that it recites a system that includes a processor and a memory. FIG. 2 and the description thereof provide support for the recitation of the processor and the memory. Thus, claim 1 is directed to statutory subject matter, i.e., the system. Claims 3 - 6, 8 and 9 depend from claim 1, and as such, are also directed to statutory subject matter. A withdrawal of the rejection is respectfully solicited.

On page 5 of the Office Action, claims 10, 12 - 15, 17 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,272,469<sup>1</sup> to Koritzinsky et al. (hereinafter "the Koritzinsky et al. patent").

Claim 10 is an independent claim that provides for a computer system, i.e., an apparatus. The Office Action explains that since claim 10 is an apparatus claim, it must be structurally distinguishable from the prior art. Applicant is amending claim 10 to recite structural components of a processor and a memory that contains a program that controls the processor to perform certain actions. FIG. 2 and the description thereof provide support for the recitation of the processor and the memory. The Koritzinsky et al. patent does not disclose a memory that contains a program that controls the processor to perform the actions recited in claim 10. Hence, the Koritzinsky et al. patent does not anticipate claim 10.

Claims 12 - 15, 17 and 18 depend from claim 10. By virtue of this dependence, claims 12 - 15, 17 and 18 are also novel over the Koritzinsky et al. patent.

Applicant is requesting reconsideration and a withdrawal of the section 102(e) rejection of claims 10, 12 - 15, 17 and 18.

On page 8 of the Office Action, claims 1 - 6, 8 - 10, 12 - 15, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over:

- (1) applicant's admitted prior art (hereinafter "AAPA") in view of
- (2) U.S. Patent Application Publication No. 2002/0091945 to Ross<sup>2</sup> (hereinafter "the Ross publication") or vice versa, and further in view of
- (3) the Koritzinsky et al. patent.

Claim 1 provides for a system that includes a processor and a memory. The memory contains a program that controls the processor to perform actions of, *inter alia*, in a case of a failure to find a match between an identity of a business partner and a business data record, then:

presenting a registration template to said business partner for registration in said business database;

obtaining registration data from said business partner via said registration template; and

updating said business database with said registration data.

The Ross publication is directed to a verification engine that has limited access to a plurality of databases (Abstract), in independently controlled databases (par. 0003). With regard to the limited access, the Ross publication Abstract states:

An entity that wishes to authenticate a user can contact a verification engine, which, in turn, has limited access to a plurality of databases containing personal information about the user. ... The databases allow the verification engine to access the user's personal information only through predefined queries. (emphasis added)

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<sup>1</sup> The Office Action Detailed Description does not provide the patent number of the Koritzinsky et al. patent. However, the Office Action is accompanied by a PTO-892 that identifies the Koritzinsky et al. patent as U.S. Patent No. 6,272,469.

<sup>2</sup> The Office Action does not affirmatively identify the publication number, i.e., 2002/0091945. However, this appears to be the only publication to Ross of record in the application. See, for example, PTO-892 that accompanied an office action dated 11 FEB 2008.

With regard to the collection of data for the databases, the Ross publication, Abstract, also states:

The personal information in the databases is collected and stored by the individual operators of the databases in the ordinary course of their business with the user. (emphasis added)

With further regard to the limited access, the Ross publication, at paragraph 0031 states:

[I]nformation itself is never directly accessible by the verification engine or the authentication client. (emphasis added).

Thus, the system in the Ross publication is **expressly prohibited from accessing data in the databases**. Modifying the system in the Ross publication to update a database would require a change in its principle of operation, and arguably render it unsuitable for its intended purpose. Consequently, **the Ross publication, whether considered alone or in combination with another reference, cannot be asserted** in a rejection of a claim that includes **updating a business database** with registration data, as recited in claim 1.

Nevertheless, the Office Action, at the bottom of page 9, recognizes that the combination of AAPA and the Ross patent fails to disclose updating the database with registration data, and so, the Office Action introduces the Koritzinsky et al. publication.

The Koritzinsky et al. publication discloses a system that performs a subscription status verification (Abstract). In this regard, with reference to FIG. 15, the Koritzinsky et al. publication, at col. 21, lines 46 - 56 states:

At step 356, the system determines whether the status of the various subscriptions is up-to-date or whether certain of the subscriptions may be expired. If any such problems with the service subscriptions is [sic] detected at step 356, operation of the service platform or interface may be modified as indicated at step 358. Rather, or in addition to such modification in the service platform presentation or operation, a message may be generated and displayed at the diagnostic system indicating the need to contact a field service engineer or the service facility, or to update the subscription. (emphasis added)

Thus, the Koritzinsky et al. publication expressly states, that in a case of a problem with a subscription, either (a) an operation or an interface may be modified, or (b) a message may be generated and displayed. The Koritzinsky et al. publication does not disclose or suggest that a processor performs actions of:

**presenting a registration template** to said business partner for registration in said business database;

**obtaining registration data from said business partner via said registration template;** and

**updating said business database with said registration data,**

as recited in claim 1. Thus, the cited combination of AAPA, the Ross patent and the Koritzinsky et al. publication neither discloses nor suggests all of the features of claim 1.

In summary, with regard to claim 1, Applicant respectfully submit that:

- (a) the Ross publication, whether considered alone or in combination with another reference, cannot be asserted in a rejection of a claim that includes updating a business database with registration data, as recited in claim 1, and
  - (b) even if the Ross publication could be asserted, the cited combination of AAPA, the Ross patent and the Koritzinsky et al. publication neither discloses nor suggests all of the features of claim 1.
- Accordingly, Applicant further submits that claim 1 is patentable over the cited combination of AAPA, the Ross patent and the Koritzinsky et al. publication.

Claims 2 - 6, 8 and 9 depend from claim 1. By virtue of this dependence, claims 2 - 6, 8 and 9 are also patentable over the cited combination of references.

Claim 10 includes a recital similar to that of claim 1 discussed above. Thus, claim 10, for reasoning similar to that of claim 1, is patentable over the cited combination of references.

Claims 12 - 15, 17 and 18 depend from claim 10. By virtue of this dependence, claims 12 - 15, 17 and 18 are also patentable over the cited combination of references.

Applicant is requesting reconsideration and a withdrawal of the section 103(a) rejection of claims 1 - 6, 8 - 10, 12 - 15, 17 and 18.

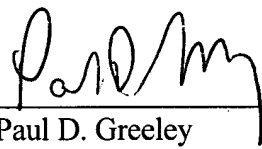
As mentioned above, Applicant is amending claims 1 and 10 to provide structural features that are not disclosed by the prior art. Applicant is amending claim 2, 12 and 17 to provide consistency with language of claims from which they depend, , and also amending claims 10, 12 and 17 to avoid recitations of "means for."

In view of the foregoing, Applicant respectfully submits that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicant respectfully requests favorable consideration and that this application be passed to allowance.

Respectfully submitted,

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Date

  
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